



National Park Service
U.S. Department of the Interior

Niobrara National
Scenic River

146 S. Hall St.
P.O. Box 319
Valentine, NE 69201

Superintendent's Compendium of
Designations, Closures, Permit
Requirements and Other Restrictions
Imposed Under Discretionary Authority.

402-376-1901 phone
402-376-1949 fax

Approved:

Dan A. Foster, Superintendent
Date: May 18, 2010

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to waters administered by and lands owned or administered by the National Park Service (NPS), within the boundaries of Niobrara National Scenic River. These do not apply to lands within the boundary of the Niobrara National Scenic River managed by private individuals or organizations, or other state or federal agencies. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

I. 36 CFR §1.5 – PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

- (a)(2) **The following restrictions and/or conditions are in effect for the specific uses or activities noted for those portions of the Niobrara River extending from the eastern boundary of Fort Niobrara National Wildlife Refuge downstream to the Norden Bridge:**

Closures and Limitations:

- **Connecting vessels together while underway.** The practice of lashing or tying together vessels while adrift is limited to a maximum group size of ten (10) people from May 1 through September 30. Examples of maximum vessel configurations include ten (10) individual tubes, or three (3) giant tubes (tubes greater than 6 feet in diameter), or combination thereof. Individual watercraft and inflatable rafts designed to safely transport more than 10 passengers are permitted, but may not be secured to any other vessel while underway, with the exception that one cooler (non-passenger) tube may be tied to inflatable rafts.
- ***Determination:*** Large flotillas of vessels are a significant hazard to visitors and resources on the river. Because large flotillas are not maneuverable, they pose safety problems for users who may fall off and have the mass float over them. The larger the flotilla mass, the longer a person may remain submerged underneath, increasing the likelihood for drowning. In addition, a large flotilla can completely block narrow portions of the river. Such congestion makes it difficult or even impossible for other river users to avoid obstacles. Large flotillas are difficult to maneuver and they can create excessive wear to equipment, creating added replacement costs to outfitters. Large flotillas are often dragged partly out of the water at landings blocking access by other visitors. Rangers have witnessed children and adults fall from flotillas and be swept beneath them. River users in canoes have also been forced underwater after capsizing and a flotilla has floated over them.

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

Contact the Chief Ranger's Office for permit information and applications:

Niobrara National Scenic River
146 S. Hall St., P.O. Box 319
Valentine, NE, 69201
402-376-1901 phone
402-376-1949 fax

The following is a compilation of those activities on waters administered by and lands owned or administered by the NPS, within the boundaries of Niobrara National Scenic River for which a permit from the superintendent is required. These do not apply to lands within the boundary of the Niobrara National Scenic River managed by private individuals or organizations, or other state or federal agencies.

- §2.5(a) Specimen collection (Taking of plants or wildlife) - Removal of wildlife for purposes other than those under legal hunting, fishing or trapping as regulated through Nebraska state laws and regulations.
- §2.12 Audio Disturbances:
 - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine.
 - (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51.
- §2.37 Soliciting or demanding gifts, money goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.51 or §2.52).
- §2.50(a) Conducting a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events.
- §2.51(e) Administrative offices of Niobrara National Scenic River are not available for public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views.
- §2.62 Memorialization:
 - (b) Scattering ashes from human cremation.
- §5.5 Commercial Photography/Filming:
 - (a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television.
 - (b) Still photography of vehicles (vessels), or other articles of commerce or models for the purpose of commercial advertising.